

FILED - USDC -NH
2024 MAY 16 AM 11:01

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

KAREN TESTERMAN, ET AL.

PETITIONER(S),

v.

Case No. 1:24-cv-00020-LM-AJ

NH SECRETARY OF STATE, ET AL,

RESPONDENT(S).

**DECLARATION OF PETITIONER KAREN TESTERMAN IN SUPPORT OF
APPLICATION FOR ENTRY OF DEFAULT AGAINST CO-DEFENDANTS
PURSUANT TO RULE 55(a) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

DECLARATION:

I, Karen Testerman, declare as follows:

1. I am a co-plaintiff in this action, along with my husband NH state Representative David Testerman, (the "Petitioners").
2. I am over the age of 18 years of age. I have personal knowledge of the facts contained in this Declaration, and if called upon as a witness would competently testify to the facts stated herein.
3. On April 4, 2024, the court granted the Petitioner's Motion for Leave to File Amended Complaint in this matter (Doc. # 25). See Endorsed Order, dated 04/04/2024.
4. On April 22, 2024, I filed the amended complaint against all defendants (Doc. # 37).
5. David Scanlan as NH Secretary of State, Chris Ager as Chair of the New Hampshire Republican State Committee, and the New Hampshire Republican State Committee, (the

defendants”), were served *by electronic means* through the court’s Electronic Court Filing (“ECF”) system, pursuant to LR 5.4(b).

6. Under Rule 12 of the Federal Rules of Civil Procedure, co-defendants David Scanlan and Chris Ager were required to plead or otherwise respond to the amended complaint by May 13, 2024. The time to plead or otherwise respond to the complaint has not been extended by any agreement of the parties or any Order of the Court.

7. Co-defendants David Scanlan and Chris Ager have failed to file a pleading or otherwise respond to the complaint. The applicable time limit for responding to the complaint has expired.


8. Neither codefendant is a minor or an incompetent person.

9. Neither codefendant are currently serving in military service, and therefore the Servicemembers Civil Relief Act is not applicable.

I declare under penalty of perjury under the laws of the State of New Hampshire and the United States of America that the foregoing is true and correct and this Declaration is executed on May 16, 2024, at Merrimack County, New Hampshire.

FURTHER AFFIANT SAITH NAUGHT.

Dated: May 16, 2024

By: 
Karen Testerman, *pro se*
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9 Stone Avenue
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AFFIDAVIT

THE STATE OF NEW HAMPSHIRE §
 §
COUNTY OF MERRIMACK §

BE IT REMEMBERED that on this 16th day of May 2024, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came KAREN TESTERMAN, who is personally known to me to be the same person who executed the foregoing Affidavit and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the date and year last.



NOTARY PUBLIC

My Commission Expires:

1/10/2029

